



1 HB 1526 – Changing EVERYTHING about how North Dakota Schools work.

2 Chairman Heinert and members of the House Education Committee, I come to you today
3 in to express our rather intense concern with this bill. I have been spending time in
4 research, reflection, and consideration since I saw this bill was filed. I considered
5 standing before you and saying with all due respect to the sponsors just one word. “NO”.
6 But I do think that members of this committee should hear from educators.

- 7 • Section 14 of century code is now going to include language about school related
8 items? Sports? Classes? Furthermore, you are asking or charging the state
9 superintendent must audit an extracurricular activity to ensure that everything is
10 in line according to a standard all the way down to locker rooms and dining
11 facilities???
- 12 • Then we have another attempt to copy a bill from another state to define CRT?
13 I’d like to remind this group that in the short session this past November already
14 passed a law to do this and made it illegal. In fact, the ND law has been
15 highlighted in several conservative publications as being one of the best worded
16 laws passed. Why would we change this?
- 17 • Then we move to 15.1. Here we find unfunded mandates, an attempt to legislate
18 morality, and universal truths. We see detail on standards that are to be taught
19 (which do not belong in law – that is a school board power), as well as
20 requirements to have open meetings about everything being taught and posting
21 of all materials and plans prior to instructing them and then providing parents an
22 opt out with each situation. How is this even a distant possibility? Our teachers
23 would need to work 365 days per year and get paid for each one to even have a



1 chance of pulling this off. And then – what and how are we managing the opt
2 outs of curriculum Each. And. Every. Day?

- 3 • Public education is being charged in this bill with doing what by-in-large should
4 be handled at home in many instances in this bill. I am a former history minor –
5 I love history – I love to research much about the founding of our nation. It is
6 important to remember that the Constitution and Bill of Rights, our Founding
7 Fathers declared that even a majority within society cannot impose its moral
8 values on others, thereby harming the individual rights of others. In other words,
9 majority rule is tempered by minority rights.
- 10 • The Constitution gives the government the right to legislate for the “general
11 welfare” under its police power, but the exercise of that power requires restraint.
12 When laws attempt to compel or prevent some action that is not a matter of
13 general belief, the law is attempting to force upon the public values that belong
14 to select individuals or groups of individuals. The danger of this kind of legislation
15 to individual liberty and freedom is tremendous.
- 16 • Although the Bill of Rights protects individual speech, assembly, and religious
17 freedoms, it does not allow the government or others to dictate morality or ethics.
18 Legislation cannot tell someone how to live their life if they’re not harming
19 anyone else. Today, many individuals and groups are attempting to use legislation
20 and the courts to shape purely moral or ethical beliefs of often dubious religious
21 origin. Who’s universal truth? Who’s morality? Who’s religious beliefs?
22 Christianity? Hinduism? Buddhism? If we are talking about the basic universal
23 truths...the problem with that is that it conflicts with this bill: In fact, within
24 lines of each other teachers are told they are not to impress upon students’



1 religious beliefs and lines following indicate that teachers may teach universal
2 truths.

3 This session we've seen many bills with varying opinions and that is a fantastic
4 right we have in the United States – to debate opposing views. However, in this
5 instance I need to also remind legislators that ... especially now with term limits
6 it is critical that we protect our century code and ensure we haven't forgotten that
7 a part of this process is to kill bills that are simply not workable. This is,
8 unfortunately one of those bills that we firmly believe is unworkable. We ask for
9 no amendments, no attempts to make this bill better. Simply a no vote – do not
10 pass on HB 1526.